

III. REMARKS

Applicants have considered the Office Action with mailing date of November 13, 2007. Claims 1 – 22 are pending in this application. By this amendment, claims 1, 10, 14 and 19 have been amended. The present claim amendments are only for facilitating expeditious prosecution. Applicants are not conceding in this application that those claims are not patentable over the art cited by the Office. Applicants do not acquiesce in the correctness of the rejections and reserve the right to present specific arguments regarding any rejected claims not specifically addressed. Further, Applicants respectfully reserve the right to pursue the full scope of the subject matter of these original claims and other claims in one or more subsequent patent application that claim(s) priority to the instant application.

In the Office Action, claims 1 – 5, 8 – 10, and 13 – 22 are rejected under 35 U.S.C. §102(a) as allegedly being anticipated by U.S. Publication No. 2002/0133573, hereinafter “Matsuda”, with US Patent No. 6,772,420 B1, hereinafter “Poger”, providing intrinsic evidence. Claims 6 – 7 and 11 – 12 are rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Matsuda as applied to claims 4 and 10, in view of US Publication No. 2002/0062485, hereinafter “Okano”

Reconsideration in view of the following remarks is respectfully requested.

REJECTION OF CLAIMS 1 – 5, 8 – 10, and 13 – 22 UNDER 35 U.S.C. §102(a) AND CLAIMS 6 – 7 AND 11 – 12 UNDER 35 U.S.C. §103(a)

With regard to the 35 U.S.C. §102(a) rejection over Matsuda with Poger providing intrinsic evidence, Applicants respectfully asserts that the cited references do not teach each and every feature of the claimed invention. Further to the previously presented arguments, Applicants assert that the

cited references do not disclose or teach, *inter alia*, a “...unique device identifier of each device entry [that] is stored permanently in each respective device corresponding to each device entry ...”. Claim

1. Support for this amendment is found in ¶[0033] in the originally filed specification of the application.

The Office asserts on Page 3 of current Office Action that Matsuda at ¶[0079] discloses static addresses which inherently includes permanently storing IP addresses as allegedly anticipating the claimed feature of a “unique device identifier ... stored permanently *in each respective device* corresponding to each device entry”. However, Matsuda discloses different ranges of assignment from 10.xxx.yyy.~10.xxx.yyy.99 and ranging from 10.xxx.yyy.201 ~10.xxx.yyy.255 for static IP addresses in a DHCP server. (See ¶¶[0079] - [0081]) That is, Matsuda provides for *designating static* IP address at *specific locations in the DHCP server*. The designation of static IP addresses, at best, provides specific locations in a server but *does not permanently store a unique device identifier in a respective device corresponding to the device entry* as in the claimed invention. As such, there is no nexus between permanently storing a unique device identifier in each respective device of the claimed invention and Matsuda’s combination of a host name and an IP address, even where one of the components of such a combination, the IP address is static. Accordingly, Applicants respectfully request that the Office withdraw this rejection.

In addition to the above, Matsuda at ¶[0059], ¶[0065] and ¶[0066], discloses continued assigning and checking for a suitable IP address to ascertain if such an IP address is *available for use*; and after a suitable network name and IP address are determined, no other devices may attempt to use the network name *while it is assigned to the client*. To this extent, Matsuda’s

network name and IP address is *subject to change* when it is no longer available for use or assigned to a particular client. *That is, whether an IP address is static or dynamic does not prevent a change in the assignment of the IP address (and/or name) from one client to another.* As such, Matsuda's *static* IP addresses, even assuming *arguendo* inherently includes permanently storing IP addresses, is *not subject to being permanently stored* in each respective device corresponding to each device entry. Therefore, Matsuda's combination of an IP address and a host/network name is not equivalent to the claimed invention's permanently stored the unique device identifier in a device. As such, Matsuda does not disclose each and every element of the claimed invention. Accordingly, Applicants respectfully request that the Office withdraw the rejection.

Applicants reiterate the foregoing arguments with respect to claim 1 for independent claims 10, 14 and 19 and respectfully request that the Office withdraw the rejection of independent claims 1, 10, 14 and 19 under 35 U.S.C. §102(a) and §103(a). Consequently, Applicants submit that all dependent claims of independent claims 1, 10, 14 and 19 are allowable based on their dependency and the respective unique features claimed therein. Therefore, Applicants respectfully request that the Office withdraw the rejection and allow the claims.

IV. CONCLUSION

In addition to the above arguments, Applicants do not acquiesce to the Office's interpretation of the claimed subject matter or the references used in rejecting the claimed subject matter. Additionally, Applicants do not acquiesce to the Office's combinations and modifications of the various references or the motives cited for such combinations and modifications. These features and the appropriateness of the Office's combinations and modifications have not been separately addressed herein for brevity. However, Applicants reserve the right to present such arguments in a later response should one be necessary.

In light of the above, Applicants respectfully submit that all claims are in condition for allowance. Should the Examiner require anything further to place the application in better condition for allowance, the Examiner is invited to contact Applicants' undersigned representative at the number listed below.

Respectfully submitted,

/Joseph J. Christian/
Joseph J. Christian
Reg. No.: 51,560

Dated: February 8, 2008

Hoffman, Warnick & D'Alessandro LLC
75 State Street, 14th Floor
Albany, NY 12207
Telephone: (518) 449-0044
Fax: (518) 449-0047

JJC/TC